

State of Colorado
Energy & Carbon Management Commission



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Document Number:
403647202

Date Received:
01/08/2024

FIR RESOLUTION FORM

Overall Status: CAC

CA Summary:

1 of 2 CAs from the FIR responded to on this Form

1 CA Completed
0 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: <u>10814</u>	Contact Name and Telephone:
Name of Operator: <u>MDS ENERGY DEVELOPMENT LLC</u>	Name: _____
Address: <u>409 BUTLER RD SUITE A</u>	Phone: () _____ Fax: () _____
City: <u>KITTANNING</u> State: <u>PA</u> Zip: <u>16201</u>	Email: _____

Additional Operator Contact:

Contact Name	Phone	Email
<u>SAADEH, RICHARD</u>		<u>richard.saadeh@mdsed.com</u>
<u>Jim Jacobsen</u>		<u>jim.jacobsen@iptwell.com</u>
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<u>Arthur, Denise</u>		<u>denise.arthur@state.co.us</u>

COGCC INSPECTION SUMMARY:

FIR Document Number: 708200700
Inspection Date: 11/14/2023 FIR Submit Date: 11/15/2023 FIR Status: _____

Inspected Operator Information:

Company Name: MDS ENERGY DEVELOPMENT LLC Company Number: 10814
Address: 409 BUTLER RD SUITE A
City: KITTANNING State: PA Zip: 16201

LOCATION - Location ID: 471039

Location Name: Castor 7-59 Number: 10 County: _____
Qtrqr: SWSE Sec: 10 Twp: 7N Range: 59W Meridian: 6
Latitude: 40.583600 Longitude: -103.963208

FACILITY - API Number: 05-123-00 Facility ID: 471039

Facility Name: Castor 7-59 Number: 10
Qtrqr: SWSE Sec: 10 Twp: 7N Range: 59W Meridian: 6
Latitude: 40.583600 Longitude: -103.963208

CORRECTIVE ACTIONS:

2 CA# 188208

Corrective Action:

Date: 10/25/2022

Comply with Rule 1002.b. Operator shall import approximately 2,952 CY of topsoil to supplement the deficit for the minimum required 6" of topsoil. Operator shall submit soil analytical data on the imported topsoil, and from adjacent reference area, no later than 1 month before importation, via Form 4 Sundry (Route to Reclamation Specialist Dylan Edwardson). Operator shall use the ECMC Topsoil Protection Plan guidance for agronomic properties and analyte testing (page 4) and compare those results with a topsoil assessment for reference areas to ensure equivalent topsoil is being imported. Corrective action date is being back-dated to when the location should have been in compliance.

Response: CA COMPLETED

Date of Completion: 01/04/2024

Operator Comment: MDS obtained lab results for 2 separate soils for potential imported soil to supplement the deficit for the minimum 6" per the corrective action. The lab results are attached. Please advise if 1 of the samples is sufficient and appropriate to use.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC Decision "Not Approved". Operator response of "Corrective Action Complete" is a notification to the State that the corrective action has been addressed in its entirety. Based on operator comments corrective action does not appear to have been completed; soil analysis was supposed to be submitted via Form 4 Sundry. Additionally, this corrective action will be considered "complete/resolved" upon the importation of missing topsoil.

Operator submitted Form 4 Sundry (doc #403653474; 01/12/2024) with attachments; which is considered part of the corrective action. Once the corrective action has been addressed in its entirety (after importing topsoil) the Operator shall ensure that an FIRR is submitted.

OPERATOR COMMENT AND SUBMITTAL

Comment:

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct, and complete.

Print Name: Andrea Gross

Signed:

Title: Permit Agent

Date: 1/8/2024 9:08:03 AM

ATTACHMENT LIST

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

<u>Document Number</u>	<u>Description</u>
403647202	FIR RESOLUTION SUBMITTED
403647215	Lab Results
403647218	Lab Results

Total Attach: 3 Files